

APPENDIX G

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

Naeemah West

V.

InterContinental Hotels Group, PLC

:
:
:
:
:

Civil Action

No: _____

DISCLOSURE STATEMENT FORM

Please check one box:



The nongovernmental corporate party, International Hotel Group, PLC
, in the above listed civil action does not have any parent corporation and
publicly held corporation that owns 10% or more of its stock.



The nongovernmental corporate party, _____
, in the above listed civil action has the following parent corporation(s) and
publicly held corporation(s) that owns 10% or more of its stock:

International Hotels Group PLC is a company incorporated and registered in England and Wales

5/7/2021



Date

Signature

Counsel for: Defendant**Federal Rule of Civil Procedure 7.1 Disclosure Statement**

- (a) WHO MUST FILE; CONTENTS. A nongovernmental corporate party must file two copies of a disclosure statement that:
- (1) identifies any parent corporation and any publicly held corporation owning 10% or more of its stock; or
 - (2) states that there is no such corporation.
- (b) TIME TO FILE; SUPPLEMENTAL FILING. A party must:
- (1) file the disclosure statement with its first appearance, pleading, petition, motion, response, or other request addressed to the court; and
 - (2) promptly file a supplemental statement if any required information changes.

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 5322 Saul Street, Philadelphia, PA 19124

Address of Defendant: Broadwater Park, Denham Buckinghamshire, United Kingdom

Place of Accident, Incident or Transaction: Atlanta, Georgia

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- | | | |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 05/07/2021 _____ Thomas P. Bracaglia _____ 32330
Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

CIVIL: (Place a ✓ in one category only)

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
☐ 2. FELA
☐ 3. Jones Act-Personal Injury
☐ 4. Antitrust
☐ 5. Patent
☐ 6. Labor-Management Relations
☐ 7. Civil Rights
☐ 8. Habeas Corpus
☐ 9. Securities Act(s) Cases
☐ 10. Social Security Review Cases
☐ 11. All other Federal Question Cases
(Please specify): _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
☐ 2. Airplane Personal Injury
☐ 3. Assault, Defamation
☐ 4. Marine Personal Injury
☐ 5. Motor Vehicle Personal Injury
☒ 6. Other Personal Injury (Please specify): _____
☐ 7. Products Liability
☐ 8. Products Liability – Asbestos
☐ 9. All other Diversity Cases
(Please specify): _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, Thomas P. Bracaglia, counsel of record or pro se plaintiff, do hereby certify:

☐ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

☐ Relief other than monetary damages is sought.

DATE: 05/07/2021 _____ Thomas P. Bracaglia _____ 32330
Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Naeemah West

v.

InterContinental Hotels Group, PLC

:
:
:
:
:
:

CIVIL ACTION

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (✓)

5/7/2021

Date

215-575-4558

Telephone



Attorney-at-law

215-575-0856

FAX Number

Defendant

Attorney for

tpbracaglia@mdwccg.com

E-Mail Address

**Civil Justice Expense and Delay Reduction Plan
Section 1:03 - Assignment to a Management Track**

- (a) The clerk of court will assign cases to tracks (a) through (d) based on the initial pleading.
- (b) In all cases not appropriate for assignment by the clerk of court to tracks (a) through (d), the plaintiff shall submit to the clerk of court and serve with the complaint on all defendants a case management track designation form specifying that the plaintiff believes the case requires Standard Management or Special Management. In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.
- (c) The court may, on its own initiative or upon the request of any party, change the track assignment of any case at any time.
- (d) Nothing in this Plan is intended to abrogate or limit a judicial officer's authority in any case pending before that judicial officer, to direct pretrial and trial proceedings that are more stringent than those of the Plan and that are designed to accomplish cost and delay reduction.
- (e) Nothing in this Plan is intended to supersede Local Civil Rules 40.1 and 72.1, or the procedure for random assignment of Habeas Corpus and Social Security cases referred to magistrate judges of the court.

**SPECIAL MANAGEMENT CASE ASSIGNMENTS
(See §1.02 (e) Management Track Definitions of the
Civil Justice Expense and Delay Reduction Plan)**

Special Management cases will usually include that class of cases commonly referred to as "complex litigation" as that term has been used in the Manuals for Complex Litigation. The first manual was prepared in 1969 and the Manual for Complex Litigation Second, MCL 2d was prepared in 1985. This term is intended to include cases that present unusual problems and require extraordinary treatment. See §0.1 of the first manual. Cases may require special or intense management by the court due to one or more of the following factors: (1) large number of parties; (2) large number of claims or defenses; (3) complex factual issues; (4) large volume of evidence; (5) problems locating or preserving evidence; (6) extensive discovery; (7) exceptionally long time needed to prepare for disposition; (8) decision needed within an exceptionally short time; and (9) need to decide preliminary issues before final disposition. It may include two or more related cases. Complex litigation typically includes such cases as antitrust cases; cases involving a large number of parties or an unincorporated association of large membership; cases involving requests for injunctive relief affecting the operation of large business entities; patent cases; copyright and trademark cases; common disaster cases such as those arising from aircraft crashes or marine disasters; actions brought by individual stockholders; stockholder's derivative and stockholder's representative actions; class actions or potential class actions; and other civil (and criminal) cases involving unusual multiplicity or complexity of factual issues. See §0.22 of the first Manual for Complex Litigation and Manual for Complex Litigation Second, Chapter 33.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Naeemah West

(b) County of Residence of First Listed Plaintiff Philadelphia, PA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Joseph Chaiken, Esquire; 1800 John F. Kennedy
Boulevard; Suyite 810, Phila, PA 19103; 215-564-1800

DEFENDANTS

InterContinental Hotels Group, PLC

County of Residence of First Listed Defendant England and Wales
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Thomas P. Bracaglia, Esquire; Marshall Dennehey Warner
Coleman and Goggin, 2000 Market Street, Suite 2300,
Phila. PA 19103 - 215-575-4558

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input checked="" type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. 1332, 1441, 1446

Brief description of cause:
Negligence/personal injury**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

5/7/2021

SIGNATURE OF ATTORNEY OF RECORD



FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NAEEMAH WEST	:	CIVIL ACTION – LAW
	:	
	:	
Plaintiff	:	
	:	JURY TRIAL DEMANDED
v.	:	
	:	
INTERCONTINENTAL HOTEL GROUP PLC	:	
also known as INTERCONTINENTAL HOTEL	:	
GROUP also known as IHG HOTELS and	:	
RESORTS also known as IHG also known as	:	
INTERCONTINENTAL HOTELS GROUP PLC	:	
all doing business as CROWNE PLAZA	:	
ATLANTA AIRPORT HOTEL	:	
	:	
	:	
Defendant	:	NO.

NOTICE OF REMOVAL

TO: THE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

Defendant, InterContinental Hotels Group, PLC (incorrectly captioned as InterContinental Hotels Group, PLC a/k/a InterContinental Hotel Group a/k/a IHG Hotels and Resorts a/k/a IHG a/k/a InterContinental Hotels Group PLC all d/b/a Crown Plaza Atlanta Airport Hotel) (hereinafter “defendant”) by and through its counsel, Marshall Dennehey Warner Coleman & Goggin, hereby removes this action to the United States District Court for the Eastern District of Pennsylvania pursuant to 28 U.S.C. §1332 and §1441. In accordance with the provisions of 28 U.S.C. §1446, defendant respectfully states as follows:

1. Plaintiff, Naeemah West commenced this personal injury action by filing a complaint against defendant in the Philadelphia Court of Common Pleas on or about April 12, 2021. (See Complaint attached hereto as Exhibit "A").

2. Plaintiff sent a copy of the complaint by United States mail on April 13, 2021 to: Intercontinental Hotel Group, PLC d/b/a Crown Plaza Atlanta Airport, 3 Ravinia Drive, Suite 100, Atlanta, GA 30346. (See Exhibit “A”).

3. Plaintiff alleges in the complaint that she “is an individual, citizen and resident of the Commonwealth of Pennsylvania” and that she resides at 5322 Saul Street, Philadelphia, PA 19124. (See Exhibit "A", paragraph 1).

4. Plaintiff further alleges in her complaint that the defendant “is not a citizen of the United States of America” (Exhibit “A”, paragraph 5).

5. Defendant is a public limited company incorporated formed and existing under the laws of the United Kingdom with a principal place of business located at Broadwater Park, Denham, Buckinghamshire, 5HR UB9, United Kingdom. (See Companies House Entity Details for Intercontinental Hotels Group, PLC attached as Exhibit "B").

6. Defendant's citizenship is therefore diverse from plaintiff's citizenship, and defendant is not a citizen of the Commonwealth of Pennsylvania. See 28 U.S.C. §1332(c)(1) ("for purposes of this section and §1441 ... a corporation shall be deemed to be a citizen of every State and foreign state by which it has been incorporated and of the State or foreign state where it has its principal place of business").

7. Defendant now exercises its right under 28 U.S.C. §1441, *et seq.* to remove this action from the Philadelphia Court of Common Pleas, in which said case is now pending under the name and caption, *Naeemah West v. InterContinental Hotels Group, PLC (incorrectly captioned as InterContinental Hotels Group, PLC a/k/a InterContinental Hotel Group a/k/a IHG Hotels and Resorts a/k/a IHG a/k/a InterContinental Hotels Group PLC all d/b/a Crown Plaza Atlanta Airport Hotel)*, April Term, 2021, No. 00856.

8. Plaintiff alleges that on September 16, 2019, she was injured at the Crowne Plaza Atlanta Airport Hotel when a trash can fell over and struck her leg. Plaintiff alleges that she sustained “a significant injury to her leg, underwent extensive medical treatment and incurred medical bills, had to have surgery and therapy and diagnostic studies all in an effort to cure and ameliorate her injuries”. Plaintiff further alleges that she has “suffered pain and suffering and loss of life’s pleasures and will likely do so in the future; she has been and may be prevented from attending to her usual duties, avocation and occupation such that she has lost, and may in the future lose earnings or earning capacity due to the accident; along with other injuries and damages, all of which are or may be permanent”. (Exhibit “A”, paragraphs 9 & 11).

9. Based on the allegations in the complaint and the information known about Plaintiff’s claims, the amount of the matter in controversy is believed to be in excess of, \$75,000.00, exclusive of interest and costs. (Exhibit “A”, paragraph 11 and the Wherefore Clause). *Dart Cherokee Basin Operating Co., LLC v. Owens*, 574 U.S. 81, 89 (2014) (“a defendant’s notice of removal need include only a plausible allegation that the amount in controversy exceeds the jurisdictional threshold. Evidence establishing the amount is required by §1446(c)(2)(B) only when the plaintiff contests, or the court questions, the defendant’s allegation.”).

10. This Honorable Court has diversity jurisdiction over this matter pursuant to 28 U.S.C. §1332 and 28 U.S.C. §1441, as this is a civil action in which defendant's citizenship is diverse from plaintiff's citizenship, defendant is not a citizen of the Commonwealth of Pennsylvania and the amount in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs. *Id.*

11. This lawsuit is accordingly removable from the Court of Common Pleas of Philadelphia County, Pennsylvania to the United States District Court for the Eastern District of

Pennsylvania pursuant to 28 U.S.C. §1441 and §1446.

12. This Notice of Removal has been filed within thirty (30) days of receipt of plaintiff's complaint.

13. By filing this Notice of Removal, defendant does not intend to waive, and hereby reserves, all objections as to service, personal jurisdiction, and all other defenses.

14. Written notice of the filing of this Notice of Removal has been provided to plaintiff in accordance with 28 U.S.C. §1446(d), as noted in the attached certificate of service.

15. Pursuant to 28 U.S.C. §1446(d), a true and correct copy of this Notice will be promptly filed with the Court of Common Pleas of Philadelphia County and copies of the same have been served upon all counsel as verified by the attached certificate of service.

WHEREFORE, Defendant, InterContinental Hotels Group, PLC (incorrectly captioned as InterContinental Hotels Group, PLC a/k/a InterContinental Hotel Group a/k/a IHG Hotels and Resorts a/k/a IHG a/k/a InterContinental Hotels Group PLC all d/b/a Crown Plaza Atlanta Airport Hotel), respectfully requests that this action be removed from the Common Pleas of Philadelphia County, Pennsylvania to the United States District Court for the Eastern District of Pennsylvania.

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN**

/s/ Thomas P. Bracaglia

BY: _____

THOMAS P. BRACAGLIA, ESQUIRE
Attorney Identification No. 32330
2000 Market Street, Suite 2300
Philadelphia, PA 19103
Tele: 215-575-4558
Fax: 215-575-0856
Email: tpbracaglia@mdwgc.com

Attorney for Defendant

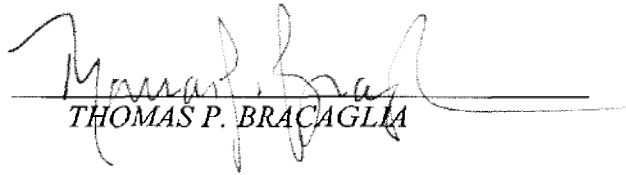
COMMONWEALTH OF PENNSYLVANIA :

SS

COUNTY OF PHILADELPHIA :

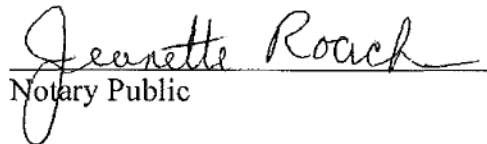
AFFIDAVIT

THOMAS P. BRACAGLIA, ESQUIRE, being duly sworn according to law deposes and says that the facts set forth in the foregoing Notice of Removal are true and correct to the best of his knowledge, information and belief.


THOMAS P. BRACAGLIA

SWORN AND SUBSCRIBED TO

ME THIS 4th DAY OF May, 2021


Notary Public

Commonwealth of Pennsylvania - Notary Seal
Jeanette Roach, Notary Public
Montgomery County
My commission expires August 12, 2022
Commission number 1020350
Member, Pennsylvania Association of Notaries



CERTIFICATE OF SERVICE

I, Thomas P. Bracaglia, Esquire, attorney for Defendant, InterContinental Hotels Group, PLC (incorrectly captioned as InterContinental Hotels Group, PLC a/k/a InterContinental Hotel Group a/k/a IHG Hotels and Resorts a/k/a IHG a/k/a InterContinental Hotels Group PLC all d/b/a Crown Plaza Atlanta Airport Hotel), hereby certify that a true and correct copy of the foregoing Notice of Removal was served via first class mail, postage prepaid, upon the following:

Joseph Chaiken, Esquire
Joseph Chaiken & Associates, P.C.
1800 John F. Kennedy Boulevard – Suite 810
Philadelphia, PA 19103
Jchaiken@jchaikenlaw.com
Attorney for Plaintiff, Naeemah West

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN**

/s/ Thomas P. Bracaglia

BY: _____

THOMAS P. BRACAGLIA, ESQUIRE
Attorney Identification No. 32330
2000 Market Street, Suite 2300
Philadelphia, PA 19103
Tele: 215-575-4558
Fax: 215-575-0856
Email: tpbracaglia@mdwcg.com
Attorney for Defendant

DATED: May 7, 2021

EXHIBIT “A”

Court of Common Pleas of Philadelphia County
Trial Division**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)

APRIL 2021**000856**

E-Filing Number: 2104021028

PLAINTIFF'S NAME NAEEMAH WEST		DEFENDANT'S NAME INTERCONTINENTAL HOTELS GROUP PLC, ALIAS: D/B/A CROWNE PLAZA ATLANTA AIRPORT	
PLAINTIFF'S ADDRESS 5322 SAUL STREET PHILADELPHIA PA 19124		DEFENDANT'S ADDRESS 3 RAVINIA DRIVE SUITE 100 ATLANTA GA 30346	
PLAINTIFF'S NAME		DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS	
PLAINTIFF'S NAME		DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS	
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 1	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other: _____		
CASE TYPE AND CODE 20 - PERSONAL INJURY - OTHER			
STATUTORY BASIS FOR CAUSE OF ACTION			
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		IS CASE SUBJECT TO COORDINATION ORDER? YES NO	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>NAEEMAH WEST</u> Papers may be served at the address set forth below.		<div style="text-align: center;"> FILED PRO PROTHY APR 12 2021 S. RICE </div>	
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY JOSEPH CHAIKEN		ADDRESS 1800 J.F.K. BLVD SUITE 810 PHILADELPHIA PA 19103	
PHONE NUMBER (215) 564-1800	FAX NUMBER (215) 564-5524		
SUPREME COURT IDENTIFICATION NO. 31187		E-MAIL ADDRESS jchaiken@jchaikenlaw.com	
SIGNATURE OF FILING ATTORNEY OR PARTY JOSEPH CHAIKEN		DATE SUBMITTED Monday, April 12, 2021, 03:10 pm	

JOSEPH CHAIKEN & ASSOCIATES, P.C.
 BY: Joseph Chaiken, Esquire – 31187
 1800 John F. Kennedy Boulevard – Suite 810
 Philadelphia, Pennsylvania 19103
 (215) 564-1800
jchaiken@jchaikenlaw.com



Naeemah West : IN THE COURT OF COMMON PLEAS OF
 5322 Saul Street : PHILADELPHIA COUNTY
 Philadelphia, PA 19124 :

v. :

InterContinental Hotels Group PLC :
 also known as InterContinental Hotel Group : TERM, 2021
 also known as IHG Hotels and Resorts :
 also known as IHG : NO.:
 also known as InterContinental Hotels :
 Group PLC :
 Broadwater Park :
 Denham, Buckinghamshire :
 UB9 5HR, UK :

And :

3 Ravinia Drive :
 Suite 100 :
 Atlanta, GA 30346-2149 :
 all doing business as Crowne Plaza :
 Atlanta Airport Hotel :

NOTICE TO DEFEND
 NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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 LAWYER REFERRAL AND INFORMATION SERVICE
 One Reading Center
 Telephone: (215) 238-6333
 Philadelphia, Pennsylvania 19107

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL

ASSOCIATION DE LICENDIADOS DE FILADELFIA
SERVICIO DE REFERENCIA LEGAL
One Reading Center
Filadelfia, Pennsylvania 19107
Telefona: (215) 238-6333
TTY: (215) 451-6197

JOSEPH CHAIKEN & ASSOCIATES, P.C.

By: Joseph Chaiken, Esquire, Attorney I.D. No.31187
 1800 John F. Kennedy Boulevard, Suite 810
 Philadelphia, Pennsylvania 19103
 (215) 564-1800
jchaiken@jchaikenlaw.com

ATTORNEY FOR PLAINTIFF

Naeemah West	:	IN THE COURT OF COMMON PLEAS OF
5322 Saul Street	:	PHILADELPHIA COUNTY
Philadelphia, PA 19124	:	
	:	
v.	:	
	:	
InterContinental Hotels Group PLC	:	
also known as InterContinental Hotel Group	:	TERM, 2021
also known as IHG Hotels and Resorts	:	
also known as IHG	:	NO.:
also known as InterContinental Hotels	:	
Group PLC	:	
Broadwater Park	:	
Denham, Buckinghamshire	:	
UB9 5HR, UK	:	
	:	
And	:	
	:	
3 Ravinia Drive	:	
Suite 100	:	
Atlanta, GA 30346-2149	:	
all doing business as Crowne Plaza	:	
Atlanta Airport Hotel	:	

CIVIL ACTION COMPLAINT

1. Plaintiff is an individual, citizen and resident of the Commonwealth of Pennsylvania residing therein at the address listed above.

2. Defendant InterContinental Hotel Group, Inc. aka IHG Hotels and Resorts, aka IHG Hotels and Resorts, aka InterContinental Hotels Group PLC, aka IHG [hereinafter collectively and individually referred to as IHG] were at all times material hereto doing business out of the location set forth above in Denham England, and at the U.S. headquarters located at 3 Ravinia Drive Suite 100, Atlanta, Georgia 30346-2149.

3. At all times material hereto, IHG was doing business under the fictitious name the Crowne Plaza Hotel Atlanta Airport which is located at the address listed above.

4. At all times material hereto each of the defendants were acting through each of their agents and employees acting within the course and scope of their business and authority.

5. IHG is not a citizen of the United States of America. It is a British Corporation doing business in the United States.

6. Plaintiff purchased an IHG time share in Philadelphia, Pennsylvania. She was invited by IHG when she was in Philadelphia to use her time share at the Crowne Plaza Atlanta Airport Hotel at the address listed above.

7. IHG owned, possessed, maintained and operated the Crowne Plaza Atlanta Airport Hotel.

8. IHG does business in the City of Philadelphia, Commonwealth of Pennsylvania as it owns, possesses, maintains, controls, and operates a number of hotels in Philadelphia including the Crowne Plaza Hotel, Holiday Inns, and Kimpton Hotels.

9. On or about September 16, 2019, Plaintiff was a guest at the Crowne Plaza Atlanta Airport Hotel, when due to the negligence and carelessness of the Defendants, (who were common carriers, and owed her the highest duty of care), she was caused to sustain serious personal injury when a trash can which was not properly positioned and supported fell over and struck her in the back of the right leg.

10. Defendants were negligent and careless in inter alia failing to secure the trash can; allowing it to get overfilled, placing it in a precarious position, designing the hotel so that trash cans such as the one involved in the incident could be placed in such location, failing to warn the Plaintiff and others of the danger, failing to provide safe trash cans, failing to provide trash cans which were stable and otherwise acting in a careless and negligent manner.

11. As a result of the defendants' negligence Plaintiff sustained a significant injury to her leg, underwent extensive medical treatment and incurred medical bills, had to have surgery and

therapy, and diagnostic studies all in an effort to cure and ameliorate her injuries. She has suffered pain and suffering and loss of life's pleasures and will likely do so in the future; she has been and may be prevented from attending to her usual duties, avocation and occupation such that she has lost, and may in the future lose earnings or earning capacity due to the accident; along with other injuries and damages, all of which are or may be permanent.

12. Philadelphia is the right forum for this case. Defendant IHG does business here, Plaintiff lives here. She was with many other friends from Philadelphia that saw the incident or are otherwise witnesses to her injuries initially and later; all of Plaintiff's doctors are located in Philadelphia, rather than in Atlanta. If this case is brought in Atlanta Plaintiff would lose many of her witnesses who would be necessary to testify.

Wherefore, Plaintiff claims damages from each defendant in an amount in excess of \$50,000. The amount requested requires submission of this matter to a jury trial.

JOSEPH CHAIKEN & ASSOCIATES, PC

Joseph Chaiken

By: _____
JOSEPH CHAIKEN, ESQ

VERIFICATION

I, Joseph Chaiken, Esquire, states that he is the attorney for the Plaintiff in this action and verify that the facts upon which statements made in the foregoing pleading is based, to the best of my knowledge, information and belief, are true and correct. The undersigned understand that the statements therein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

JOSEPH CHAIKEN

JOSEPH CHAIKEN, ESQUIRE

DATED: 4/12/21

Joseph Chaiken, Esq
Joseph Chaiken & Associates, PC
1800 JFK Blvd., Suite 810
Philadelphia, PA 19103

PHILADELPHIA PA 190

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04/13/2021

US POSTAGE

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FIRST-CLASS MAIL



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Intercontinental Hotel Group PLC
d/b/a Crowne Plaza Atlanta Airport
3 Ravinia Drive
Suite 100
Atlanta, GA 30346

30346-212125

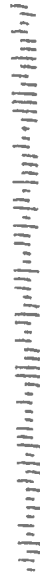


EXHIBIT “B”

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Companies House

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INTERCONTINENTAL HOTELS GROUP PLC

Company number **05134420**

Registered office address

Broadwater Park, Denham, Buckinghamshire, UB9 5HR

Company status

Active

Company type

Public limited Company

Incorporated on

21 May 2004

Accounts

Next accounts made up to **31 December 2021**
due by **30 June 2022**

Last accounts made up to **31 December 2020**

Confirmation statement

Next statement date **30 June 2021**
due by **14 July 2021**

Last statement dated **30 June 2020**

Nature of business (SIC)

- 55100 - Hotels and similar accommodation
- 70100 - Activities of head offices

Previous company names

Name	Period
NEW INTERCONTINENTAL HOTELS GROUP PLC	27 Apr 2005 - 27 Jun 2005
NEW INTERCONTINENTAL HOTELS GROUP LIMITED	24 Mar 2005 - 27 Apr 2005
HACKREMCO (NO. 2154) LIMITED	21 May 2004 - 24 Mar 2005

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